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TO RUEHC/SECSTATE WASHDC 0209
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INFO RUCNCIS/CIS COLLECTIVE
RUEHZL/EUROPEAN POLITICAL COLLECTIVE
RUEHFT/AMCONSUL FRANKFURT 3429

UNCLAS SECTION 01 OF 04 ASHGABAT 000178

SIPDIS

PASS TO KCC WILLIAMSBURG KY

SIPDIS

SENSITIVE

DEPT FOR CA/FPP (E. HOLMES), SCA/CEN (R. SNELSIRE)
FRANKFURT FOR RCO (R. BROWN)
ASTANA FOR LEGATT (H. LEADBETTER)

E.O. 12958: N/A

TAGS: [ASEC](#) [CVIS](#) [CPAS](#) [CMGT](#) [KFRD](#) [TX](#)

SUBJECT: FRAUD SUMMARY: ASHGABAT, Q4 2007

REF: (A) 07 STATE 171211 (B) MOSCOW 150

11. (U) Sensitive but unclassified. Not for public Internet.

12. (U) Embassy Ashgabat submits this quarterly consular fraud report for the period October through December 2007 as requested in ref tel A.

COUNTRY CONDITIONS

13. (SBU) Turkmenistan is experiencing important social, political and economic changes following the December 2006 death of Saparmurat Niyazov, the autocratic president who had ruled since before its independence in 1991. Despite these changes, Turkmenistan remains behind its CIS counterparts in terms of modernization of its economic, banking, communications, and technological capabilities. Turkmenistan is moving to catch up with the 21st century, but has a way to go. Unemployment is high, and salaries are low, even by regional standards. For example, a middle-class professional (teacher, doctor, government official) would be expected to have a monthly salary of about \$150-\$200 USD.

14. (SBU) Following a coup attempt in 2002, Niyazov ordered a freeze on the issuance of email accounts. Public Internet access, apart from American Corners and other cultural venues sponsored by foreign governments, did not exist. While a number of public Internet cafes have opened in the last year, the general public remains fairly "unplugged" and unfamiliar with the Internet in general. Most visa applicants are unable to fill out their electronic visa applications without assistance, often paying for this help.

15. (SBU) Turkmenistan remains a cash-based economy, making it very difficult to assess applicant's relative net worth and income. Most Turkmen do not use banks to store their savings or manage their business finances. Often, applicants open bank accounts for one day, right before their visa interviews, for the sole purpose of having the bank issue a statement letter for their interviews. These letters are basically worthless as evidence of bona fide assets. Tax records are available, but only slightly more helpful than the one-day bank statements, since local tax authorities are often corrupt and income is generally underreported or unreported altogether.

16. (SBU) For many bona fide students, payment of SEVIS, TOEFL and other fees poses an additional logistical hurdle, as credit cards are not widely used in Turkmenistan, and Western Union claims it can

only transfer money to a person, that it is prohibited by local law from transferring money to a corporate entity or an organization. Peace Corps volunteers have reported paying SEVIS and TOEFL fees for their students using their own personal credit cards, because none of their parents had cards of their own.

17. (SBU) The majority of fraud cases come from Lebap province bordering Afghanistan and Uzbekistan, with applicants from Ashgabat coming in a close second. There are relatively few fraudulent applicants from Mary, Dashoguz, Ahal and Balkan provinces. The level of nonimmigrant visa fraud is medium, while levels of other types of fraud discussed below are low.

NIV FRAUD

18. (SBU) The vast majority of NIV fraud cases are refused under section 214b of the Immigration and Nationality Act, however, Post continues to investigate these cases for possible ties to labor traffickers and other criminal elements. Post is currently compiling information on U.S. notaries suspected of providing false letters of invitation to applicants. In some cases, refused applicants have said they've paid as much as \$400 per letter, which is between two and four times the average monthly salary of these applicants. In some cases, a search of the inviter's records in PIERS shows that the biodata and/or signature on the letter does not match the name of the real American Citizen whose name is listed, suggesting possible identity theft. The changes in biodata from the actual AmCit's information suggest an attempt to make the relationship more believable - for example, changing the birth year (but not the month and day) to match the "schoolmate" applicant's, or changing the country of birth to Turkmenistan or Uzbekistan. Post is also investigating several illegal overstays from Turkmenistan who are believed to be involved in providing false documentation to applicants, possibly in conjunction with labor traffickers in the United States, and possibly in collaboration with

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the notaries being investigated.

19. (SBU) The most common fraud pattern seen on the visa line would be an applicant requesting a B1/B2 visa to visit a friend, family friend or family member living in New York City. The inviters were usually born in Uzbekistan, Ukraine, or Azerbaijan. Some claimed to be legal permanent residents, others were American Citizens. The applicants' stories about how they knew or were related to the inviters were usually factually improbable, if not impossible. The most common scripts heard include the following: "We became friends while serving in the Soviet military/studying in a third country during Soviet times" (because the applicant had never traveled to the inviter's native country); "Our fathers served together in the Soviet military"; "His relative was my neighbor and he used to come visit"; and, for ethnic Turkmen, Muslim applicants asked about their relationship to ethnic Ukrainian Jewish or Russian Jewish inviters, "His/her grandmother, who immigrated to Kiev/Moscow from Turkmenistan, was my grandfather's cousin." On several days, separate applicants have applied claiming to be related to the same inviter, yet have claimed not to know each other. No matter how distant the claimed relationship, the applicants uniformly claim that they talk on the phone "all the time" with the inviter, and often have pictures that they say are of the inviter and his or her family. The similarities suggest coaching and facilitation. These cases have been referred to the Fraud Prevention Unit's (FPU) ongoing investigation of the notaries involved.

10. (SBU) Another common fraud pattern involves applicants claiming they want to go to New York City to study English as a second language (ESL). While there are many legitimate ESL students from Turkmenistan who qualify for student visas, a large number of prospective ESL students are suspected of using the non-competitive open Internet enrollment policies of some private language institutes to try to go work in New York City. Validation studies from previous years show a high rate of overstay for ESL students attending New York language centers not linked to degree-granting institutions of higher learning. A typical fraudulent ESL student is a male, 22 to 40. The younger applicants in this pool have just finished their term of compulsory military service and are

unemployed. The older applicants are either small businessmen or low-ranking government officials. In both cases, these applicants make credibility-defying arguments about how learning English is a logical step in their professional and personal development. In a handful of cases, these students have presented suspect account statements from banks located in the Baltics.

¶11. (SBU) Post sees small numbers of petition-based nonimmigrant visa applicants, apart from U.S. government-sponsored Js. Summer Work and Travel (SWT) is not a large program in Turkmenistan, in part because it is unclear that local universities would meet the standards for their students to be eligible. There are no known SWT recruiters working in Turkmenistan. All SWT applicants in 2007 were students enrolled at foreign universities - the vast majority were studying in Turkey. A large proportion of these students had no or extremely poor English-language skills and most had very poor ties to Turkmenistan. A validation study of 2006 SWT issuances showed that 90% appear to have overstayed illegally in the United States.

IV FRAUD

¶12. (SBU) Post does not process immigrant visas. Immigrant visas for citizens of Turkmenistan are processed by the U.S. Embassy in Moscow. See reftel B.

DV FRAUD

¶13. (SBU) Post does not process immigrant visas. Diversity visas for citizens of Turkmenistan are processed by the U.S. Embassy in Moscow. See reftel B.

ACS AND U.S. PASSPORT FRAUD

¶14. (SBU) During the reporting period, Post had no cases of suspected ACS or U.S. passport fraud, nor have there been any cases in recent memory. Because of the low numbers of legal immigrants from Turkmenistan in the United States, there are few dual nationals who return to Turkmenistan to request citizen services. Over the past several years, Post has had several cases related to American-citizen males who wish to transmit U.S. citizenship to a child born out of wedlock to a Turkmen mother. Under local law, the

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father of an out of wedlock child must be present at the time of registration of the birth for the father's name to be listed on the birth certificate and for the child to be allowed to use the father's surname. In cases where the father is out of the country at the time of the birth, this creates difficulties in terms of creating proper documentation of the parentage of the child.

ADOPTION FRAUD

¶15. (SBU) Post does not process immigrant visas. Immigrant visas for children adopted from Turkmenistan are processed by the U.S. Embassy in Moscow. See reftel B. Post is unaware of any cases in the last several years of adoptions from Turkmenistan by Americans or other Westerners.

USE OF DNA TESTING

¶16. (SBU) Post has not, in recent memory, utilized DNA testing to resolve concerns about a consular or visa case. Polygamy is not legal. Nevertheless, common law polygamy is practiced, especially in rural areas. Post has seen a few cases where Turkish businessmen living in Turkmenistan have applied for NIVs for their children and common-law wives. These businessmen had legal wives and families living in Turkey. While the relationships with the common-law wives were not legally documented, the children of these unions had local birth certificates that listed the Turkish citizen as the father and the children usually had Turkish passports as well.

ASYLUM AND OTHER DHS BENEFIT FRAUD

¶17. (SBU) Post has not processed any Visas 92/93 cases. There have been no cases of requests to replace lost or stolen I-551s in recent

memory. Based on anecdotal evidence, Post suspects a high level of fraudulent asylum claims. During the Niyazov era, most people with a strong claim to political persecution were unable to leave Turkmenistan. One recent returning student, who had previously made what appears to be a frivolous claim for asylum, told the interviewing consular officer that he had been "recruited" by other Turkmen students to file his petition in order to make theirs more credible. He said that the immigration lawyer assisting him assured him that no immigration judge would ever refuse an asylum case from Turkmenistan. The student said he abandoned the case because he wanted to return home to see his family. In several other cases, visa applicants who wanted to visit asylee relatives in the United States have volunteered information suggesting that the relatives' decision to request asylum was based solely on economic factors, and that they "won't be able to return to Turkmenistan to visit us until they get their U.S. passports."

ALIEN SMUGGLING, TRAFFICKING, ORGANIZED CRIME AND TERRORIST TRAVEL

¶18. (SBU) As mentioned above in the discussion under non-immigrant visa fraud, Post suspects that there are several criminal rings at work providing fake "letters of invitation" to nonimmigrant visa applicants and providing false documentation to erstwhile ESL students at institutes with rolling, non-competitive, Internet enrollment. During the reporting period, Post received one credible report by a local woman that her husband, an illegal overstay, had been working in the United States under trafficking-type conditions. She reported that his periodic phone calls home had stopped and she feared for his safety. The RSO interviewed the woman and reported the case through DS channels for further investigation.

¶19. (SBU) Turkmenistan is not considered to be a center for illegal transit of aliens en route to the United States or other Western countries.

DS CRIMINAL FRAUD INVESTIGATIONS

¶20. (SBU) As mentioned in para. 17, the RSO section interviewed one woman who claimed that her husband was a victim of labor trafficking and forwarded its findings through DS channels for further investigation. During the reporting period, the consular section did not refer any cases for RSO field investigation. However, the consular chief regularly discusses cases of suspected fraud with the RSO section and the RSO and ARSO have, on occasion, assisted with consular fraud interviews. The RSO and ARSO both have extensive visa and passport fraud experience, which provides a positive resource for the consular section. The consular chief and RSO are preparing to investigate several cases jointly during the first quarter of 2008.

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HOST COUNTRY PASSPORT, IDENTITY DOCUMENTS, AND CIVIL REGISTRY

¶21. (SBU) Passports, identity documents and civil registry certificates are fairly reliable and not generally subject to counterfeiting and falsification. The Turkmenistani passport is used primarily as an identity document, even by the majority of citizens who have not traveled outside the country. The passport of Turkmenistan does not have an expiration date and passports cannot be issued or extended abroad. Travelers who lose their Turkmen passports can be issued a travel letter for return by the appropriate Embassy or Consulate of Turkmenistan.

¶22. (SBU) Instances of fake passports or passports obtained under false pretenses are rare, however, Post is aware of one. In summer 2007, the consular section found one instance where a student visa applicant applied for a visa with a passport listing an alternate birth date than he had listed in a previous application. After an investigation, the consular chief interviewed the applicant, who had won a partial athletic scholarship for tennis. The applicant admitted that his father, a government official, had obtained for him a real passport based on a fake birth certificate that listed him as two years younger than he was, allowing him to compete in a different age bracket at tennis tournaments. The initial fraud had occurred years before, when the applicant was a minor, but the

applicant had continued to use the passport to apply for visas for several years after becoming an adult, and had submitted the bad passport for the pending application. In a separate interview, the father initially denied that the birth date in the passport was false, then insisted that he knew nothing about how his son obtained the false passport, finally changing his story to cast blame on the son's former tennis coach.

COOPERATION WITH HOST GOVERNMENT AUTHORITIES

¶23. (SBU) Post has not, in recent memory, formally collaborated with host government authorities on a fraud investigation. However, consular and RSO staff have been successful in getting material information, on an informal basis, from host-government contacts. The RSO reports a decent level of host government cooperation on investigations. Post anticipates working with host government law enforcement on a more formal basis during the coming year.

AREAS OF PARTICULAR CONCERN

¶24. (SBU) The consular section takes every opportunity to inform applicants that letters of invitation (LOIs) from a U.S. resident are not a required element of a nonimmigrant visa application. Applicants were advised of this fact at the time they made appointments. The consular section's information campaign appears to have paid off, as the percentage of B1/B2 applicants presenting LOIs has dropped noticeably.

STAFFING AND TRAINING

¶25. (SBU) The consular section consists of one Consul, who serves as section chief and fraud prevention manager (FPM), and two locally-engaged staff (LES). All staff are expected to support anti-fraud programs. Training and anti-fraud experience for each consular team members follows:

- Elizabeth Webster, Consular Chief, FPM:
- ConGen (2001); Advanced Namechecking Class (2002); Advanced Consular Course (2006); Consular Section Chief Basics (2006); CLDC-2002, 2006
- FPM, U.S. Embassy, Abu Dhabi, 2001-2003
 - Gozel Arazmedova, Visa Assistant:
- Primary LES responsibility for anti-fraud work
- Consular FSN Training, RSC Frankfurt, 2003 and 2007
- Regional Consular LES Workshop, (EUR) 2005
- TDY training with FPU, Consular Section, Istanbul, 2006
- Ogulbagt Bapbyeveva, Consular Assistant:
- Consular FSN Training, RSC Frankfurt, 2000 and 2002
- Regional Consular LES Workshop, (EUR)2001
- Moscow Consular Conference, 2003 and 2004
- NIV FSN Workshop, FSI, 2005

HOAGLAND